



McGregor W. Scott
United States Attorney
Eastern District of California

Sacramento
501 I. Street, Ste 10-100
Sacramento CA 95814
Tel (916) 554-2700
TTY (916) 554-2855

NEWS RELEASE

Fresno
2500 Tulare St., Suite 4401
Fresno, CA 93721
Tel (559) 497-4000
TTY (559) 497-4500

FOR IMMEDIATE RELEASE

June 1, 2007

Contact: Rosemary Shaul (916) 554-2802

<http://www.usdoj.gov/usao/cae>

**LOCAL DOCTOR PLEADS GUILTY TO USING
NON-FDA APPROVED DRUG ON PATIENTS**

SACRAMENTO – United States Attorney McGregor W. Scott announced today that DR. TIMOTHY J. ROSIO, 52, of Cameron Park, pleaded guilty today before United States Magistrate Judge Kimberly J. Mueller to a two-count information charging delivery of a misbranded drug and misbranding a drug held for sale.

This case is the product of an extensive investigation by the Food and Drug Administration (“FDA”).

According to Assistant United States Attorney Michael M. Beckwith, who prosecuted the case, DR. ROSIO ordered a drug that the FDA had not approved for use in humans from Arizona-based Toxin Research International (“TRI”). The drug’s packaging, labeling, and invoices clearly stated “FOR RESEARCH PURPOSES ONLY, NOT FOR HUMAN USE.” After receiving the drug, DR. ROSIO, offered it for sale to the public under the familiar name of Botox. He administered it to at least fifteen patients, some on multiple occasions, in the form of injections, all for monetary compensation.

The defendant is scheduled to be sentenced by Judge Mueller on August 16, 2007, at 2 p.m. The maximum statutory penalty for violations of 21 U.S.C. § 331(c) and (k) is up to one year in prison, a \$100,000 fine, and a one year term of supervised release on each count.

However, the actual sentence will be determined at the discretion of the court after consideration

of the Federal Sentencing Guidelines, which take into account a number of variables, and any applicable statutory sentencing factors.

###